

## Message Text

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14-11

ACTION EUR-12

INFO OCT-01 EA-06 ISO-00 IO-10 AID-05 CEA-01 CIAE-00

COME-00 EB-07 FRB-03 INR-07 NEA-09 NSAE-00 OPIC-03

SP-02 TRSE-00 CIEP-01 LAB-04 SIL-01 OMB-01 DODE-00

DOT-00 FMC-01 CG-00 OFA-01 DLOS-03 L-02 OIC-02 AF-06

ARA-06 /094 W

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R 132126Z MAY 75

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 6422

INFO USMISSION OECD PARIS

ARUQMGQWMEMBASSY ANKARA 239

AMEMBASSY ATHENS

AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY HELSINKI

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MADRID

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY VIENNA

AMEMBASSY WELLINGTON

USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS: EFIN OECD CA

SUBJECT: UN LINER CONVENTION

REF: OECD PARIS 11977, OECD PARIS 11978

1. CANADIAN POSITION REGARDING COMPATIBILITY OF UN LINER CONVENTION AND OECD CODE OF INVISIBLES IS ONE OF BENIGN NEUTRALITY. ITS REPRESENTATIVES TO OECD COUNCIL AND OTHER BODIES HAVE BEEN INSTRUCTED ONLY TO SIT BACK AND LISTEN. IT IS UNLIKELY THAT THIS POSITION WILL CHANGE, CAPTAIN J L MACANGUS (DIRECTOR, INTERNATIONAL MARITIME TRANSPORT BRANCH, CANADIAN TRANSPORT COMMISSION) TOLD EMBASSY TCO ON MAY 13, FOR CANADA SEES NO REASON TO GET INVOLVED IN WHAT IT CONSIDERS A PRIVATE QUARREL -- BETWEEN THE BRITISH AND SCANS ON THE ONE HAND AND THE FRENCH-GERMAN INTERESTS ON THE OTHER -- IN WHICH IT HAS NOTHING TO GAIN. FURTHERMORE, MACANGUS INDICATED CANADIAN LEGAL EXPERTS HAD STUDIED THE COMPATIBILITY QUESTION AND HAVE COME TO THE CONCLUSION THERE IS NO INCOMPATIBILITY. FOR CANADA THEN TO TAKE A POSITION BASED UPON ITS CONSIDERED OPINION WOULD PUT IT ON THE SIDE OF THE FRENCH AND GERMAN INTERESTS WHILE CANADA HAS HAD STRONG TRADITIONAL MARITIME RELATIONS WITH THE BRITISH.

2. WITH RESPECT TO THE UN LINER CONVENTION ITSELF, MACANGUS INDICATED, AS HIS EXECUTIVE DIRECTOR, BURGRIDGE, PREVIOUSLY HAD (A-389, JULY 31, 1974) THAT IT WAS HIGHLY UNLIKELY THAT THE GOC WOULD ULTIMATELY SIGN AND RATIFY UNLESS A SIGNIFICANT MAJORITY OF CANADA'S MARITIME TRADE PARTNERS (LARGELY GROUP B COUNTRIES) DID SO. THE CARGO-SHARING ARRANGEMENTS ARE UNATTRACTIVE FROM THE CANADIAN VIEWPOINT AT PRESENT. OF COURSE, THIS MAY CHANGE IF THE GOC DECIDES TO DEVELOP A SIGNIFICANT OCEAN-GOING MERCHANT MARINE. (SEE OTTAWA A-157, MARCH 10, 1975 FOR A DISCUSSION OF THIS ISSUE.) HOWEVER, MACANGUS HIMSELF

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(AND MANY OTHER GOC OFFICIALS IN HIS VIEW) FIND MUCH GOOD IN THE CONVENTION, ESPECIALLY THOSE PROVISIONS RELATING TO SUPERVISION OF CONFERENCES, DISCLOSURE OF INFORMATION AND JUSTIFICATION OF RATE INCREASES. HE SUGGESTED THAT WHEN THE SHIPPING CONFERENCES EXEMPTION ACT (SEE OTTAWA A-558, OCTOBER 20, 1970), WHICH EXPIRES IN 1979, HAS TO BE REPLACED, THE NEW CANADIAN LEGISLATION WILL PROBABLY INCORPORATE MANY

PROVISIONS DRAWN CLOSELY FROM THE UN LINER CONVENTION.

3. COMMENT: EMBASSY SUSPECTS THAT MACANGUS VIEWS PROBABLY REPRESENT THOSE OF OTHER ELEMENTS IN THE GOC CONCERNED WITH THIS QUESTION. WE DOUBT IF EXTAFF HAS ANY INDEPENDENT APPROACH TO IT. ACCORDINGLY, WE SUGGEST THAT IF USOECD SUGGESTION FOR A FORMAL REPRESENTATION IN OTTAWA IS TAKEN UP, THE DEPARTMENT'S INSTRUCTIONS INCLUDE SOME COMPELLING SUBSTANTIVE ARGUMENT AS TO WHY THE GOC SHOULD SUPPORT DANISH, U.K, AND U.S. APPROACHES TO THIS ISSUE. FURTHERMORE, THE DEPARTMENT SHOULD RECOGNIZE THAT THIS IS A DIVISIVE ISSUE WITHIN THE EEC AND THE GOC -- PUSHING FOR A CONTRACTUAL LINK WITH THAT INSTITUTION -- HAS NO PARTICULAR REASON TO TAKE SIDES AMONG ITS MEMBERS.  
PORTER

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MARINE TRANSPORTATION, CARGO, STANDARDS, MARITIME MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 MAY 1975  
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